

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

UNITED STATES OF AMERICA

V.

CECILY ANN AGUILAR

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CRIMINAL NO. 6:20-CR-0097-ADA

**GOVERNMENT’S RESPONSE TO
DEFENDANT’S MOTION TO COMPEL DISCOVERY**

TO THE HONORABLE ALAN D ALBRIGHT:

COMES NOW the United States of America, by and through the United States Attorney for the Western District of Texas, and files its response to Defendant’s Motion to Compel Discovery.

The motion to compel discovery should be denied as moot. On June 16, 2021, a motion to suppress hearing was held before the Honorable Alan Albright. ECF 50, 74. Before the hearing, the United States provided the Court with a disc containing recorded statements made by the Defendant that were the subject to the suppression hearing.¹ The night-time walk-through videos at the Leon River site requested by the Defendant in her motion to compel discovery were included on that disc. That disc was identified as “Court’s Sealed Exhibit” during the hearing and was submitted without objection. ECF 78, p.24. The Court referenced the sealed exhibit in its order denying the motion to suppress. ECF 83. On April 22, 2022, the parties requested and were granted permission to copy the Court’s Sealed Exhibit, which the parties copied on that date.

WHEREFORE, the United States prays that the motion to compel discovery be denied as moot.

¹ The United States believes that a copy of the same was submitted to counsel for the Defendant.

Respectfully submitted,

ASHLEY C. HOFF
United States Attorney

/s/ Mark L. Frazier

By: MARK L. FRAIZER
Assistant United States Attorney
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CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of May, 2022, a true and correct copy of the foregoing instrument was electronically filed with the Clerk using the CM/ECF System, which will transmit a copy of the following CM/ECF participant:

LEWIS GAINOR
Supervisory Assistant Federal Public Defender

By: */s/ Mark L. Frazier*
MARK FRAIZER
Assistant United States Attorney

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ORDER

CAME ON to be considered Defendant's Motion to Compel Discovery, and the Government's response thereto, and hereby ORDERS that said motion is DENIED as moot.

SIGNED this _____ day of May, 2022.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE